

COPYRIGHT

Exchange of notes at Washington October 28, 1892

Entered into force October 28, 1892

*Revived (after World War II) March 12, 1948,¹ pursuant to article 44
of treaty of peace signed at Paris February 10, 1947²*

Department of State files

The Italian Legation to the Secretary of State

[TRANSLATION]

ROYAL LEGATION OF ITALY

Washington, October 28, 1892

MR. SECRETARY OF STATE,

The Government of His Majesty the King of Italy has carefully examined the copyright act of March 3d, 1891,³ especially that part of article 13 which provides that the benefit guaranteed by the aforesaid act "shall only be secured to the subjects or citizens of a foreign nation or State when such State or nation guarantees to the citizens of the United States of America the benefit of copyright on substantially the same basis as to its own subjects or citizens, and I now have the honor to inform you, in obedience to the instructions of His Excellency His Majesty's Minister for Foreign Affairs, that the Italian Government is prepared to give that of the United States the assurance required by the law in question.

I have consequently been instructed to carry to Your Excellency the formal assurance that "the Italian law permits to the citizens of the United States the benefit of copyright on substantially the same basis on which it is guaranteed to the subjects of the King of Italy," and to request that, in virtue of this declaration, the President may be requested to admit Italian subjects to the enjoyment of the afore-mentioned copyright act of March 3d, 1891.

In making this announcement to, and this request of Your Excellency, it is proper for me to express the desire of my Government that the agreement may take place in such a manner that each of the two Governments may at

¹ *Department of State Bulletin*, Apr. 4, 1948, p. 455.

² TIAS 1648, *ante*, vol. 4, p. 325.

³ 26 Stat. 1106.

all times be fully at liberty to give notice of its desire for the cessation of its effects.

Be pleased to accept, Mr. Secretary of State, the assurances of my highest consideration.

FAVA

To His Excellency

JOHN W. FOSTER,
Secretary of State,
etc., etc., etc.
Washington.

The Acting Secretary of State to the Italian Legation

DEPARTMENT OF STATE
Washington, October 28, 1892

Baron Fava,
etc. etc. etc.

SIR,

I have the honor to acknowledge the receipt of your note of the 28th. instant, wherein you refer to the provisions of the 13th. Section of the Act of Congress approved March 3, 1891, in relation to the extension of copyright in the United States to foreign citizens or subjects under certain conditions therein expressed.

By direction of your Government, you give "formal assurance that the law of Italy permits to citizens of the United States the benefit of literary, artistic and musical copyright on substantially the same basis as to Italian subjects"; and ask that, in view of the declaration so made, the President be moved to issue his Proclamation admitting Italian subjects to the benefits of the aforesaid Copyright Act.

In reply I have the pleasure to inform you that, accepting the declaration thus conveyed by you as a satisfactory official assurance that the first of the conditions specified in Section 13 of the Act of March 3, 1891, now exists and is fulfilled in respect to the subjects of Italy, the President will forthwith issue his Proclamation in accordance with the provisions of that Act.

I am further directed by the President to state that it is understood to be a part of the agreement thus reached that each Government reserves the liberty to terminate the same at pleasure upon giving notice to the other.

Expressing my gratification at this satisfactory and friendly outcome of the proposals made by this Government in the interest of international copyright, I avail myself, etc.

WILLIAM F. WHARTON
Acting Secretary